

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:17-cr-00060-MR-DLH**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**MORRIS RYAN LITWACK,**

**Defendant.**

---

)  
)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**ORDER**

**THIS MATTER** is before the Court on the Defendant's Motion to Suppress and to Dismiss the Indictment [Doc. 15]; the Magistrate Judge's Memorandum and Recommendation regarding that motion [Doc. 33]; and the Defendant's Objections to the Magistrate Court's Memorandum and Recommendation [Doc. 37].

On August 15, 2017, the Honorable Dennis L. Howell, United States Magistrate Judge, conducted an evidentiary hearing on the motion to suppress. On December 7, 2017, the Magistrate Judge issued a Memorandum and Recommendation, recommending that the motion to suppress be denied. [Doc. 33]. After receiving an extension of time to do so [see Text-Only Order entered Dec. 22, 2017], the Defendant timely filed

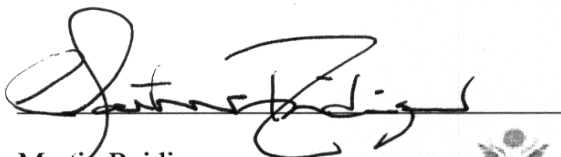
Objections to the Memorandum and Recommendation on January 4, 2018.  
[Doc. 37].

Upon conducting a *de novo* review of the Memorandum and Recommendation, the Court finds that the Magistrate Judge's proposed findings of fact are correct and that the proposed conclusions of law are consistent with current case law. The Magistrate Judge provided a detailed treatment of the issues presented by the search and investigative techniques employed in this matter. The Court concludes that the analysis of the Magistrate Judge is correct. Accordingly, the Court hereby overrules the Defendant's Objections and accepts the Magistrate Judge's recommendation that the Defendant's Motion to Suppress and to Dismiss the Indictment should be denied.

**IT IS, THEREFORE, ORDERED** that the Defendant's Objections to the Magistrate Judge's Memorandum and Recommendation [Doc. 37] are **OVERRULED**; the Magistrate Judge's Memorandum and Recommendation [Doc. 33] is **ACCEPTED**; and the Defendant's Motion to Suppress and to Dismiss the Indictment [Doc. 15] is **DENIED**.

**IT IS SO ORDERED.**

Signed: January 22, 2018

  
Martin Reidinger  
United States District Judge

